

To: Kelly L. Williams(tm-dept@quarles.com)
Subject: U.S. Trademark Application Serial No. 97441752 - CALIFORNIA BERRY CULTIVARS - 175513.00004
Sent: March 21, 2023 06:47:57 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

[Columbia Gazetteer - california.jpg](#)
[Britannica - california.jpg](#)
[Merriam-Webster - berry.jpg](#)
[Merriam-Webster - cultivars.jpg](#)
[Montana Berry Growers - berry cultivars.jpg](#)
[Nourse - berry cultivars.jpg](#)
[California Berry Cultivars - descriptive wording.jpg](#)

United States Patent and Trademark Office (USPTO) Office Action (Official Letter) About Applicant's Trademark Application

U.S. Application Serial No. 97441752

Mark: CALIFORNIA BERRY CULTIVARS

Correspondence Address:

KELLY L. WILLIAMS
1701 PENNSYLVANIA AVENUE, NW, SUITE 700
WASHINGTON DC 20006-5805 UNITED STATES

Applicant: California Berry Cultivars, LLC

Reference/Docket No. 175513.00004

Correspondence Email Address: tm-dept@quarles.com

NONFINAL OFFICE ACTION

Response deadline. File a response to this nonfinal Office action within three months of the “Issue date” below to avoid [abandonment](#) of the application. Review the Office action and respond using one of the links to the appropriate electronic forms in the “How to respond” section below.

Request an extension. For a fee, applicant may [request one three-month extension](#) of the response deadline prior to filing a response. The request must be filed within three months of the “Issue date” below. If the extension request is granted, the USPTO must receive applicant's response to this letter within six months of the “Issue date” to avoid abandonment of the application.

Issue date: March 21, 2023

Introduction

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

Summary of Issues

- Search Results - No Conflicting Marks Found
- Section 2(e)(2) - Geographically Descriptive Refusal
- Advisory regarding Amendment to the Supplemental Register After Filing an Amendment to Allege Use to Overcome Descriptiveness Refusal
- Advisory regarding Disclaimer of Generic Wording if Amending to the Supplemental Register
- Identification of Goods and Services - Amendment Required
- Multiple Filing Bases - Advisory

Search Results - No Conflicting Marks Found

The trademark examining attorney has searched the USPTO database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). 15 U.S.C. §1052(d); TMEP §704.02.

Section 2(e)(2) - Geographically Descriptive Refusal

Registration is refused because the applied-for mark is primarily geographically descriptive of the origin of applicant's goods and services. Trademark Act Section 2(e)(2), 15 U.S.C. §1052(e)(2); *see* TMEP §§1210, 1210.01(a).

A mark is primarily geographically descriptive when the following is demonstrated:

- (1) The primary significance of the mark to the purchasing public is a generally known location;
- (2) The goods or services originate in the place identified in the mark; and
- (3) The purchasing public would be likely to believe that the goods or services originate in the geographic place identified in the mark; that is, to make a goods-place or services-place association.

See Spiritline Cruises LLC v. Tour Mgmt. Servs., Inc., 2020 USPQ2d 48324, at *5 (TTAB 2020) (citing *In re Nantucket, Inc.*, 677 F.2d 95, 96-97, 213 USPQ 889, 891 (C.C.P.A. 1982)); *see also In re Newbridge Cutlery Co.*, 776 F.3d 854, 860-61, 113 USPQ2d 1445, 1448-49 (Fed. Cir. 2015); *In re Societe Generale des Eaux Minerales de Vittel S.A.*, 824 F.2d 957, 959, 3 USPQ2d 1450, 1452 (Fed. Cir. 1987); *In re JT Tobacconists*, 59 USPQ2d 1080, 1081 (TTAB 2001)); TMEP §1210.01(a).

Applicant, located in Fullerton, CA, has applied to register the mark CALIFORNIA BERRY CULTIVARS for use in connection with:

- International Class 031: live strawberry plants
- International Class 042: Research and development of new agricultural products; trial and testing services related to agricultural products
- International Class 044: Plant breeding; and agricultural advice, namely, providing recommendations for planting, growing and harvesting plants

The primary significance of CALIFORNIA is a geographic location, namely, the most populous state in the United States, and a leading state in the production of fruits. *See* attachments from *Columbia Gazetteer* and *Britannica* showing the geographic significance of CALIFORNIA.

The record indicates that applicant's goods and services originate in CALIFORNIA because applicant's address in Fullerton is in California, as indicated by applicant.

A goods-place or services-place association may be presumed where (1) the location in the mark is generally known to the purchasing public, (2) the term's geographical significance is its primary significance, and (3) the goods and/or services do, in fact, originate from the named location in the mark. TMEP §1210.04; *see, e.g., In re Cal. Pizza Kitchen Inc.*, 10 USPQ2d 1704, 1705 (TTAB 1988) (finding a services-place association was presumed between applicant's restaurant services and California because the services originated in California); *In re Handler Fenton Ws., Inc.*, 214 USPQ 848, 850 (TTAB 1982) (finding a goods-place association was presumed between applicant's t-shirts and Denver because the goods had their geographical origin in Denver); *see also In re Nantucket, Inc.*, 677 F.2d 95, 102, 213 USPQ 889, 895 (C.C.P.A. 1982) (Nies, J., concurring) (“[W]e must start with the concept that a geographic name of a place of business is a descriptive term when used on the goods of that business. There is a public goods/place association, in effect, presumed.” (internal footnote removed)).

Here because the primary significance of "CALIFORNIA" is to identify a geographic location and applicant's goods and originate in CALIFORNIA as indicated by applicant's address, purchasers will presume that the term identifies the place from which the goods and services originate.

Although the applied-for mark also includes the terms BERRY CULTIVARS, this does not change the overall primarily geographic significance of the mark.

The additional wording BERRY CULTIVARS, meaning a cultivated variety of fruit, is highly descriptive or generic as applied to the applicant's goods and services. *See* attached evidence from *Merriam-Webster*. The applicant is in the berry cultivation industry, as evidenced by the identification of goods and services.

The addition of generic or highly descriptive wording to a geographic word or term does not diminish that geographic word or term's primary geographic significance. TMEP §1210.02(c)(ii); *see, e.g., Spiritline Cruises LLC v. Tour Mgmt. Servs., Inc.*, 2020 USPQ2d 48324, at *6-7 (TTAB 2020) (holding CHARLESTON HARBOR TOURS primarily geographically descriptive of various travel tour and cruise services because TOURS is generic for the services and CHARLESTON HARBOR is a well-known harbor in Charleston, South Carolina); *In re Hollywood Lawyers Online*, 110 USPQ2d 1852, 1853-54 (TTAB 2014) (holding HOLLYWOOD LAWYERS ONLINE primarily geographically descriptive of attorney referrals, online business information, and an online business directory).

In this case, the phrase "BERRY CULTIVARS" immediately conveys that applicant's goods and services are cultivated fruit plant varieties and breeding. Further, third parties with similar services use this phrase to describe varieties of berry plants. See attached evidence from *Montana Berry Growers, Nourse*. Additionally, the attached evidence from applicant's website demonstrates applicant using CULTIVARS to describe a cultivated variety of fruit, namely of strawberry.

Therefore, for the foregoing reasons, the mark is primarily geographically descriptive of the origin of applicant's goods and services, and registration is refused pursuant to Section 2(e)(2) of the Trademark Act.

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration. However, if applicant responds to the refusal(s), applicant must also respond to the requirement(s) set forth below.

Advisory regarding Amendment to the Supplemental Register After Filing an Amendment to Allege Use to Overcome Descriptiveness Refusal

Although an amendment to the Supplemental Register would be an appropriate response to this refusal in an application based on Trademark Act Section 1(a) or 44, such a response is not appropriate in the present case. The instant application was filed under Section 1(b) and is not eligible for registration on the Supplemental Register until an acceptable amendment to allege use meeting the requirements of 37 C.F.R. §2.76 has been timely filed. 37 C.F.R. §2.47(d); TMEP §§816.02, 1102.03.

If applicant files an acceptable allegation of use and also amends to the Supplemental Register, the application effective filing date will be the date applicant met the minimum filing requirements under 37 C.F.R. §2.76(c) for an amendment to allege use. TMEP §§816.02, 1102.03; *see* 37 C.F.R. §2.75(b). In addition, the undersigned trademark examining attorney will conduct a new search of the USPTO records for conflicting marks based on the later application filing date. TMEP §§206.01, 1102.03.

Although registration on the Supplemental Register does not afford all the benefits of registration on the Principal Register, it does provide the following advantages to the registrant:

- (1) Use of the registration symbol ® with the registered mark in connection with the designated goods and/or services, which provides public notice of the registration and potentially deters third parties from using confusingly similar marks.
- (2) Inclusion of the registered mark in the USPTO's database of registered and pending marks, which will (a) make it easier for third parties to find it in trademark search reports, (b) provide public notice of the registration, and thus (c) potentially deter third parties from using confusingly similar marks.
- (3) Use of the registration by a USPTO trademark examining attorney as a bar to registering confusingly similar marks in applications filed by third parties.
- (4) Use of the registration as a basis to bring suit for trademark infringement in federal court, which, although more costly than state court, means judges with more trademark experience, often faster adjudications, and the opportunity to seek an injunction, actual damages, and attorneys' fees and costs.

(5) Use of the registration as a filing basis for a trademark application for registration in certain foreign countries, in accordance with international treaties.

See 15 U.S.C. §§1052(d), 1091, 1094; J. Thomas McCarthy, *McCarthy on Trademarks & Unfair Competition* §§19:33, 19:37 (rev. 4th ed. Supp. 2017).

Advisory regarding Disclaimer of Generic Wording if Amending to the Supplemental Register

Applicant is advised that, if the application is amended to seek registration on the Principal Register under Trademark Act Section 2(f) or on the Supplemental Register, applicant will be required to disclaim “BERRY CULTIVARS” because such wording appears to be generic in the context of applicant’s goods and/or services. *See* 15 U.S.C. §1056(a); *In re Wella Corp.*, 565 F.2d 143, 144, 196 USPQ 7, 8 (C.C.P.A. 1977); *In re Creative Goldsmiths of Wash., Inc.*, 229 USPQ 766, 768 (TTAB 1986); TMEP §1213.03(b).

Applicant may submit a disclaimer in the following format:

No claim is made to the exclusive right to use “BERRY CULTIVARS” apart from the mark as shown.

TMEP §1213.08(a)(i).

For an overview of disclaimers and instructions on how to provide one using the Trademark Electronic Application System (TEAS), see the [Disclaimer webpage](#).

Identification of Goods and Services - Amendment Required

Applicant has applied for the following goods and services:

- International Class 031: live strawberry plants
- International Class 042: Research and development of new agricultural products; trial and testing services related to agricultural products
- International Class 044: Plant breeding; and agricultural advice, namely, providing recommendations for planting, growing and harvesting plants

The wording “trial and testing services related to agricultural products” in the identification of services is indefinite and must be clarified because it does not make clear what the services are, e.g., agricultural testing for {indicate subject matter, field, or industry, e.g., determining soil nutrients, the organic fertilizer field, the seed industry, etc.}. *See* 37 C.F.R. §2.32(a)(6); TMEP §1402.01.

Applicant may substitute the following wording, if accurate:

- International Class 031: live strawberry plants
- International Class 042: Research and development of new agricultural products; trial and testing services related to agricultural products, **namely, a gricultural testing for ____ {indicate subject**

matter, field, or industry, e.g., determining soil nutrients, the organic fertilizer field, the seed industry, etc.}

- International Class 044: Plant breeding; **and** agricultural advice, namely, providing recommendations for planting, growing and harvesting plants

Applicant may amend the identification to clarify or limit the goods and/or services, but not to broaden or expand the goods and/or services beyond those in the original application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Generally, any deleted goods and/or services may not later be reinserted. *See* TMEP §1402.07(e).

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO's online searchable [U.S. Acceptable Identification of Goods and Services Manual](#). *See* TMEP §1402.04.

Multiple Filing Bases - Advisory

Applicant is advised that, because some or all of the goods and/or services in the application are based on intent-to-use under Trademark Act Section 1(b), applicant must file an acceptable allegation of use (also called an amendment to allege use or a statement of use) for these goods and/or services before the applied-for mark can be registered. 37 C.F.R. §2.35(b)(8); TMEP §1103. An allegation of use has various legal requirements, including providing verified dates of first use of the mark, a verified statement that the mark is in use in commerce, a specimen showing the mark as actually used in commerce for each international class, and a fee. 37 C.F.R. §§2.76, 2.88; TMEP §806.01(b). In addition, certain time restrictions apply to filing an amendment to allege use or statement of use. *See* 37 C.F.R. §§2.76(a), 2.88(a); TMEP §§1104.03, 1109.04. *See* [the ITU basis webpage](#) for more information about an amendment to allege use or statement of use. To submit one, use the Trademark Electronic Application System (TEAS) [Allegation of Use](#) form.

Response Guidelines

For this application to proceed, applicant must explicitly address each refusal and/or requirement in this Office action. For a refusal, applicant may provide written arguments and evidence against the refusal, and may have other response options if specified above. For a requirement, applicant should set forth the changes or statements. Please see [“Responding to Office Actions”](#) and the informational [video “Response to Office Action”](#) for more information and tips on responding.

Please call or email the assigned trademark examining attorney with questions about this Office action. Although an examining attorney cannot provide legal advice, the examining attorney can provide additional explanation about the refusal(s) and/or requirement(s) in this Office action. *See* TMEP §§705.02, 709.06.

The USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

How to respond. File a [response form to this nonfinal Office action](#) or file a [request form for an extension of time to file a response](#).

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RESPONSE GUIDANCE

- **Missing the deadline for responding to this letter will cause the application to [abandon](#).** A response or extension request must be received by the USPTO before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Trademark Electronic Application System (TEAS) [system availability](#) could affect an applicant's ability to timely respond. For help resolving technical issues with TEAS, email TEAS@uspto.gov.
- **[Responses signed by an unauthorized party](#)** are not accepted and can **cause the application to [abandon](#)**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find [contact information for the supervisor](#)** of the office or unit listed in the signature block.

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California

[California](#)[Geography](#)[Economy](#)[History: 1500s to 1776](#)[History: 1776 to 1812](#)[History: 1812 to 1853](#)[History: 1853 to World War II](#)[History: World War II to 1980](#)[History: 1980 to Present](#)[Government](#)

State Flag



Country Flag



California

ADD TO MY GAZ

TYPE OF PLACE	state
LOCATION	California, United States
POPULATION	36,457,549

California (KAL-ee-FORN-yah), state (□ 163,707 sq mi/424,001 sq km; 2000 population 33,871,648; 2005 estimated population 36,154,147), W **U.S.**, admitted as the thirty-first state of the Union in 1850; • **Sacramento**. The largest cities are **Los Angeles**, **San Diego**, **San Jose**, **San Francisco**, **Long Beach**, **Oakland**, and **Sacramento**. California is known as "The Golden State" due to the discovery of gold in 1848 and for its fields of golden poppies.

[Historical Population](#)

Geography

California is bounded on the N by **Oregon**, on the E by **Nevada** and **Arizona** (from which it is separated by the **Colorado River**), on the S by **Mexico** (**Baja California Norte state**), and on the W by the **Pacific Ocean**. Ranking first among the U.S. states in population and third in area, California has a diverse topography and climate. A series of low mountains known as the **Coast Ranges** extends along the 1,200 mi/1,931 km coast. Most of the coastal areas and mountains immediately inland, from **Eureka** in N to Los Angeles in S, are subject to frequent and often severe earthquakes from the **San Andreas Fault** and other geological faults; also, some areas in NE, especially around **Lassen Peak**, are volcanically active. The Coast Ranges receive heavy rainfall in the N, but the climate of these mountains is considerably drier in S California, and no major rivers reach the ocean S of the **Golden Gate**. The entire coastline is subject to fog, formed by a clash of cool ocean currents from N and a warm land surface; fog adds to the region's beauty, but is also the contributor to infamous multicar pileups on California's freeways. Behind the coastal ranges in central California lies the great **Central Valley**, a long alluvial valley drained by the **Sacramento** and **San Joaquin** rivers. In the SE lie vast deserts, notably the **Mojave Desert**, site of **Joshua Tree National Monument**. Rising as an almost impenetrable granite barrier E of the Central Valley is the **Sierra Nevada** range, which includes **Mount Whitney** (highest point in U.S. outside **Alaska**, 14,494 ft/4,418 m), **Kings Canyon National Park**, **Sequoia National Park**, and **Yosemite National Park** (all in S part of Sierras, SE California). The **Cascade Range**, the northern continuation of the Sierra Nevada, includes **Lassen Volcanic National Park**. **Death Valley National Monument** is E of the S Sierra Nevada.

Economy

California has an enormously productive and diverse economy. Although agriculture is second to industry as the basis of the state's economy, California is the leading state in the production of fruits and vegetables, including tomatoes, carrots, asparagus, broccoli, spinach, citrus, and artichokes. The state's most valuable crops are grapes, nursery products, cotton, flowers, almonds, lettuce, strawberries, and oranges. Cattle, poultry and dairy products also contribute a major share of farm income. The state produces the major share of U.S.-produced wine, especially **Sonoma** and **Napa** counties, N of San Francisco. California's farms are highly productive as a result of good soil, a long

growing season, and the use of modern agricultural methods. Irrigation is widely used in almost every agricultural district. The gathering and packing of crops is done largely by seasonal migrant labor, including thousands of Mexicans. Fishing remains an important industry in the NW. Much of the state's manufacturing depends on the processing of farm produce and upon such local natural resources as mineral deposits and forests. Petroleum is the state's most valuable mineral, although reserves are being depleted rapidly. Other important products are natural gas, cement, and sand and gravel. Since World War II heavy industry in the state has increased enormously, notably in the manufacture of transportation equipment, electronic equipment, machinery, and metal products. Major reductions in the defense industry in the late 1980s and in the 1990s have had a severe negative impact on the region. The "Silicon Valley," between [Palo Alto](#) and San Jose, earns its nickname as the nation's leading producer of semiconductors, but suffered an economic downturn in 2001 due to the fall out in the online/computer industry. California continues to be a major U.S. center for motion-picture and television production, although Hollywood's luster has faded since the 1950s and the industry has dispersed to adjacent areas (Burbank, Studio City, Beverly Hills). Tourism is an important source of income. Disneyland, Sea World, and other theme parks draw many visitors each year, as does San Francisco with its numerous attractions, including the [Golden Gate Bridge](#). California also abounds in natural beauty, featuring the giant sequoia trees (among the oldest living things on earth). [Redwood National Park](#) in NW, Lassen Volcanic National Park in NE, [Channel Islands National Park](#) off SW coast; [Point Reyes National Seashore](#) and [Golden Gate National Recreation Area](#) in W; [Whiskeytown-Shasta-Trinity National Recreation Area](#) in N; and [Santa Monica Mountains National Recreation Area](#) in SW. Several national forests include Six Rivers, Trinity, and Mendocino (NW); Klamath and Shasta (N); Modoc and Lassen (NE); Plumas, Tahoe, Eldorado, Stanislaus, Tuolumne, Sierra, Sequoia, and Inyo (E); Cleveland, San Bernardino, San Gabriel, and Los Padres (S). The Sierras contain many national parks and forests, and there are miles of beautiful beaches, especially in Southern California. One of the state's most acute problems is an inadequate water

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California

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Mar. 20, 2023, 9:13 PM ET (AP)

[Cruise wants to test self-driving cars all over California](#)*General Motors' Cruise autonomous vehicle unit has asked California for permission to test the cars across the entire state.*

Mar. 19, 2023, 9:49 PM ET (AP)

[California to seek beds for mental health, drug treatment](#)*California Gov. Gavin Newsom's latest plan for the state's homelessness crisis asks voters to fund a major expansion of housing and treatment for residents suffering from mental illness and addiction.*[Show More](#)

Summary

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California, [constituent state](#) of the [United States](#) of America. It was admitted as the 31st state of the union on September 9, 1850, and by the early 1960s it was the most populous U.S. state. No version of the origin of California's name has been fully accepted, but there is wide support for the [contention](#) that it derived from an early 16th-century [Spanish novel](#), *Las sergas de Esplandián* ("The Adventures of Esplandián"), that described a paradisiacal island full of [gold](#) and [precious](#) stones called California. The influence of the Spanish settlers of the 18th and 19th centuries is evident in California's architecture and place-names. The capital is [Sacramento](#).

California is bounded by the U.S. state of [Oregon](#) to the north, by the states of [Nevada](#) and [Arizona](#) to the east, by the Mexican state of [Baja California](#) to the south, and by the [Pacific Ocean](#) to the west. From the rainy northern coast to the parched [Colorado Desert](#) in the south, and from the Mediterranean-like central and southern



flag of California

[See all media](#)Capital: [Sacramento](#)

Population: (2020) 39,538,223; (2022 est.) 39,029,342

Governor: [Gavin Newsom](#) (Democrat)

Date Of Admission: September 9, 1850

U.S. Senators: [Dianne Feinstein](#) (Democrat) • [Alex Padilla](#) (Democrat)[See all facts & stats](#)

Big Sur

[Discover the contrasting landscapes of California from Mount Whitney to Death Valley](#)

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littoral to the volcanic plateau of the far northeast, California is a land of stunning physical contrasts. Both the highest and lowest points in the 48 conterminous states are in the state of California—[Mount Whitney](#) and [Death Valley](#), respectively. The former is the [culminating](#) summit of the [Sierra Nevada](#), one of the major mountain ranges of [North America](#).

The fluid nature of the state's social, economic, and political life—shaped so largely by the influx of people from other states and countries—has for centuries made California a laboratory for testing new modes of living. California's population, concentrated mostly along the coast, is the most urban in the United States, with more than three-fourths of the state's people living in the [Los Angeles](#), [San Francisco](#), and [San Diego](#) metropolitan areas. Despite its urbanization and the loss of land to industry, California still leads the country in agricultural production. About one-half of the state's land is federally owned. National parks located throughout the state

ervation of nature and natural resources. Area 163,695

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berry

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Dictionary

Definition

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berry

1 of 2 **noun**ber·ry 'ber-ē 'be-rē

plural berries

- a** : a pulpy and usually edible fruit (such as a strawberry, raspberry, or checkerberry) of small size irrespective of its structure
 - b** : a simple fruit (such as a grape, blueberry, tomato, or cucumber) with a pulpy or fleshy pericarp
 - c** : the dry seed of some plants (such as wheat)
- : an egg of a fish or lobster

berry

2 of 2 **verb**

berried; berrying

intransitive verb

- : to bear or produce **berries**
| a *berrying* shrub
- : to gather or seek berries



WORD OF THE DAY

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Example Sentences

Recent Examples on the Web

Noun

The Huile Jambres Legeres, with its juniper *berry* and clove essential oils, helps to improve microcirculation.

—Jordi Lippe-mcgraw, *Forbes*, 9 Mar. 2023

The nose is full of vanilla, caramel and some bright citrus and *berry* notes, a pretty intriguing way to start off here.

—Jonah Flicker, *Robb Report*, 5 Mar. 2023

[See More](#) ▼

These example sentences are selected automatically from various online news sources to reflect current usage of the word 'berry.' Views expressed in the examples do not represent the opinion of Merriam-Webster or its editors. [Send](#)

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A Good Old-Fashioned Quiz



washing machine

grape smasher

mouse trap

butter churn



You know what it looks like... but what is it called?

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Can you make 12 words with 7 letters?

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<https://www.merriam-webster.com/dictionary/berry>

Merriam Webster

Est. 1828

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cultivar

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UP YOUR MOUTH GAME™

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BUY NOW

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Definition

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cultivar

cul-ti-var

-,ver

: an organism and especially one of an agricultural or horticultural variety or strain originating and persistent under [cultivation](#)

UP YOUR MOUTH GAME™

DenTek

BUY NOW

Example Sentences

Recent Examples on the Web

The wild form has solid green leaves, but the cream-and-green variegated *cultivar* 'Song of India' is more widely available.

—Sheryl Geerts, *Better Homes & Gardens*, 13 Jan. 2023

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Extraordinary

GIVE PAPYRUS

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Our Mission

Connection, Education and Advocacy

In 2019, berry growers from across the state banded together with MSU extension to establish the Montana Berry Growers Association. Their goal was to build a strong network of berry growers to increase the overall success for small fruit producers. Today, the association encourages and supports state wide development for small fruit markets and its producers through increased access to resources, advocacy, and collaboration.

Board Members



Travis Greenwalt

Travis Greenwalt is co-owner of Hilltop Haven Farm in Missoula, Montana. Hilltop Haven Farm produces saskatoons along with other types of fresh produce. The saskatoon orchard includes approximately 600 plants of Northline, Martin and JB30 varieties, and was established in several phases between 2011 and 2013. Hilltop Haven Farm markets their products through wholesale and Community Supported Agriculture (CSA) channels as a member-owner of the Western Montana Growers Cooperative (WMGC). They have also maintained a booth at the Clark Fork River Farmers Market in past years. The farm is a secondary occupation for Travis, his main occupation is as a natural resource economist for Highland Economics (www.highlandeconomics.com). Travis is also co-owner of Ole World Oils, an oilseed processing company that processes, packages and sells camelina seed and oil for human consumption and animal feed supplements (www.camelinagold.com).



Christie Walsh

Christie Walsh is the co-owner of Township Road Farm near Worden, Montana. She and her husband purchased a 5 acre plot 18 years ago with the dream of filling it with a myriad of fruits. All these years later, they are finally on their way to making their dream a reality. Their farm motto is 'we grow a little bit of everything'. Their orchard has 32 fruit trees (mostly apples), three large raspberry brambles, a plum thicket, a few rows of Haskaps, a whole corner dedicated to currants, dwarf sour cherries, and 256 wine grape vines. Their vineyard will acquire another 384 grapes next year. Aronia

berries, Serviceberries, Sea Buckthorns and Buffalo Berries are on the list of additions that will soon be adorning the farm as well.



Catherine McNeil

Catherine McNeil and her husband, Ken, have spent their lives in agriculture. Their family now owns Apple Bar Orchard in the Helena valley of Montana, one of the original homesteads in the area dating back to the early 1900s. The McNeil family farm hosts seven acres of hay fields and 1.5 acres of fruit. The orchard got its start as a research site for MSU Extension to determine what kinds of berries could be grown in Montana on only .25 acres. The successful **berry cultivars** gained footing and expanded fruit production to its current acreage, and is now occupied by haskaps, currants, saskatoons, aronia berries, sour cherries, and various apple and pear varieties. Products from Apple Bar Orchard can be found across the state of Montana in various value-added products such as jams, jellies, juice, kombucha, beer, wine, seltzer, pies, tarts, scones, and other baked goods. Catherine loves the nutritional aspects of the haskaps and other Montana-grown berries, and hopes they become a healthy option for Montanans in the future.

NOURSE FARMS / BLACKBERRY PLANTS / CADDO



Caddo

2 Reviews

Quantity:

Add to cart

Plants ship between January - July. Ship dates are selected during checkout process.





Quantity	Price
5	\$40.00
25	\$180.00
100	\$477.00
600	\$2,369.00
1,000	\$3,094.00

Caddo is the latest in a series of erect-growing, high quality, productive floricanne-fruited blackberry cultivars intended for fresh market use by John Clark at the University of Arkansas. "It has overall high fruit quality, excellent postharvest fruit-handling potential, consistent high yields and excellent plant health," Clark says. Early results show Caddo ripening between Natchez and Osage, with comparable yields to Osage and Ouachita. Size has been larger than both Osage and Ouachita, holding size through the harvest season. We highly recommend growers trial this new and interesting variety. Hardiness is anticipated in zones 5-9.

U.S. Plant Patent to be applied for

Berry Size:	Very large
Best in Zones:	5 - 9
Firmness:	Firm

Thornless:	Yes
Ships as:	Plug Plant

-  Contains high levels of Nutraceuticals, a substance providing a healthy benefit to the human body!
-  Price includes a royalty or usage fee. Patent laws or license contracts prohibit propagation of the variety for resale or trade.
-  We recommend a soil pH level of 6.5 - 6.8 for blackberry plants.
-  This is what one blackberry plant looks like when it is shipped.

REVIEWS



[Home](#) > [About Us](#) > [How it all started](#)

HOW IT ALL STARTED



The consistent development and improvement of strawberry cultivars is a key component of supporting and growing the world-wide strawberry industry. Luckily for us, the development of strawberry cultivars has a long history of success in California.

United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on March 21, 2023 for
U.S. Trademark Application Serial No. 97441752

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action to avoid your application abandoning. Follow the steps below.

- (1) **[Read the Office action](#)**. This email is NOT the Office action.
- (2) **Respond to the Office action by the deadline** using the Trademark Electronic Application System (TEAS). Your response, or extension request, must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Otherwise, your application will be [abandoned](#). See the Office action itself regarding how to respond.
- (3) **Direct general questions** about using USPTO electronic forms, the USPTO [website](#), the application process, the status of your application, and whether there are outstanding deadlines to the [Trademark Assistance Center \(TAC\)](#).

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

GENERAL GUIDANCE

- **[Check the status](#) of your application periodically** in the [Trademark Status & Document Retrieval \(TSDR\)](#) database to avoid missing critical deadlines.
- **[Update your correspondence email address](#)** to ensure you receive important USPTO notices about your application.
- **[Beware of trademark-related scams](#)**. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. Verify the correspondence originated from us by using your serial number in our database, [TSDR](#), to confirm that it appears under the “Documents” tab, or contact the [Trademark Assistance Center](#).
- **[Hiring a U.S.-licensed attorney](#)**. If you do not have an attorney and are not required to

have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.